

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

JEFFREY A. DAMON,

:

Plaintiff

:

CIVIL ACTION NO. 3:19-1128

:

v.

:

(JUDGE MANNION)

N.P.S. ENERGY SERVICES, INC.,

:

Defendant

:

**ORDER**

In light of the memorandum issued this same day, **IT IS HEREBY**

**ORDERED THAT:**

- (1) The report and recommendation of Judge Mehalchick, (**Doc. 14**), is **ADOPTED IN ITS ENTIRETY**;
- (2) The plaintiff's second amended complaint, (**Doc. 11**), is **DISMISSED WITH PREJUDICE**, pursuant to 28 U.S.C. §1915(e)(2)(B);
- (3) The plaintiff is **DENIED** leave to file a third amended complaint based on futility; and
- (4) The clerk of court is directed to **CLOSE** this case.

sl/ Malachy E. Mannion

**MALACHY E. MANNION**

**United States District Judge**

**Dated: May 27, 2021**

19-1128-01-ORDER